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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,541	02/15/2001	Jiping Wang	7961M	3257

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EXAMINER

BOYER, CHARLES I

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 10/24/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/784,541

Applicant(s)
Wang et al

Examiner
Charles Boyer

Art Unit
1751



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 15, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In lines 3-5 of claim 3, L is defined as a leaving group, however no L appears in the formula.

Claim Objections

3. Claim 15 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The fiber degradation increase of "less than about 25%" is broader than "less than 25%" in claim 1.

In line 2 of claim 15, "increase" is misspelled.

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Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Before citing the references against the present claims, the examiner would like to state for

the record that due to the inordinate breadth of the present claims, requiring only a method for bleaching a textile by saturating it with a bleaching composition, the examiner estimates there are hundreds of reference that would anticipate at least claim 1 of the present application. Hydrogen peroxide is the most common bleach known and if there is a way to bleach fabrics other than saturating them with a bleach composition, the examiner is not aware of it. The examiner has taken into consideration the present invention as a whole, in order to identify the closest prior art, which art is cited below. Applicants should be aware however, that there are many other references that could have been cited against the present invention. Any response from applicants to the references cited below that does not also address the fact that their claims are extremely broadly written, would likely not be successful in rendering those claims allowable.

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5. Claims 1-15, and 18-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Willey et al, WO 94/28106.

Willey et al teach laundry detergent compositions containing bleaching systems with bleach activators (see abstract). An example of such a composition comprises 15% sodium percarbonate and 5% bleach activator where the bleach activator is nonanoyl caprolactam, (6-nonamidocaproyl)oxybenzene sulfonate, and benzoxazin activator where fabrics are laundered with this composition at 40°C for 40 minutes (page 23, examples V, VIII, and X). As this reference meets all material limitations of the claims at hand, the reference is anticipatory. With respect to claim limitations such as whiteness value and fiber degradation, as Willey et al teach the identical bleaching solution of the present claims, the solution of Willey et al will inherently meet these claim limitations.

6. Claims 1-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Croud et al, WO 95/21283.

Croud et al teach textile bleaching compositions with bleach activators (see abstract). An example of such a composition comprises hydrogen peroxide, sodium hydroxide, and nonanoyl oxybenzene sulfonate where cotton cloths are bleached for 30 minutes (page 29, example 2). Note the fabrics may undergo a desizing step prior to bleaching (page 41, claim 11). As this reference meets all material limitations of the claims at hand, the reference is anticipatory. With respect to claim limitations such as whiteness value and fiber degradation, as Croud et al teach the

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identical bleaching solution of the present claims, the solution of Croud et al will inherently meet these claim limitations.

7. Claims 1-15, and 18-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Showell et al, US 5,419,847.

Showell et al teach liquid bleach compositions (see abstract). An example of such a composition comprises hydrogen peroxide and nonanoyl oxybenzene sulfonate where fabrics are laundered in a typical wash cycle (col. 8, example 1A and example III). The bleach compositions contain from 0.1 to 10% peroxide and from 1 to 25% bleach activator (col. 10, claim 1). As this reference meets all material limitations of the claims at hand, the reference is anticipatory. With respect to claim limitations such as whiteness value and fiber degradation, as Showell et al teach the identical bleaching solution of the present claims, the solution of Showell et al will inherently meet these claim limitations.

8. Claims 1-15, and 18-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Francis et al, US 5,106,528.

Francis et al teach liquid bleach compositions (see abstract). An example of such a composition comprises hydrogen peroxide and nonanoyl oxybenzene sulfonate where fabrics are laundered at 40°C for 30 minutes (col. 13, example 1). As this reference meets all material limitations of the claims at hand, the reference is anticipatory. With respect to claim limitations

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such as whiteness value and fiber degradation, as Francis et al teach the identical bleaching solution of the present claims, the solution of Francis et al will inherently meet these claim limitations.

9. Claims 1-15, and 18-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Thompson et al, US 4,483,778.

Thompson et al teach liquid bleach compositions (see abstract). An example of such a composition comprises sodium perborate and nonanoyl oxybenzene sulfonate where fabrics are laundered in a typical wash cycle (col. 31, example 1C). As this reference meets all material limitations of the claims at hand, the reference is anticipatory. With respect to claim limitations such as whiteness value and fiber degradation, as Thompson et al teach the identical bleaching solution of the present claims, the solution of Thompson et al will inherently meet these claim limitations.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Boyer whose telephone number is (703) 308-2524. The examiner can normally be reached on Monday-Friday from 9:30 AM - 6:00 PM.

If reasonable attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this

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Group is (703) 872-9310 for non-after-final amendments and (703) 872-9311 for after-final amendments.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Charles Boyer

A handwritten signature in cursive script that reads "Charles Boyer". The signature is written in dark ink and is positioned to the right of the printed name "Charles Boyer".

October 21, 2002